

AMENDED IN ASSEMBLY MAY 12, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 92

Introduced by Assembly Member De Leon

January 6, 2009

An act relating to state claims, *making an appropriation therefor*, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 92, as amended, De Leon. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to ~~ensure that all claims that have been approved by the board and for which there exists no legally available appropriation, are submitted for legislative approval at least twice each calendar year~~ report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state allowed by the board.

This bill ~~declares the intent of the Legislature to appropriate funds for the payment of claims allowed by the board~~ would appropriate \$617,711.41 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. The bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from specified Budget Act items of appropriation identified in the bill to Item 1870-001-0001 of Section 2.00 of the Budget Act of 2009.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~-yes.
 State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. (a) The sum of six hundred seventeen thousand*
 2 *seven hundred eleven dollars and forty-one cents (\$617,711.41)*
 3 *is hereby appropriated from the various funds, as specified in*
 4 *subdivision (b), to the Executive Officer of the California Victim*
 5 *Compensation and Government Claims Board for the payment of*
 6 *claims accepted by the board in accordance with the schedule set*
 7 *forth in subdivision (b).*

8 *(b) Pursuant to subdivision (a), claims accepted by the*
 9 *California Victim Compensation and Government Claims Board*
 10 *shall be paid in accordance with the following schedule:*

11
 12 *Total for Fund: General Fund (0001) \$617,565.26*
 13 *Total for Fund: Item 2740-001-0044, \$146.15*
 14 *Budget Act of 2009, Program 11*

15
 16 *SEC. 2. Upon the request of the California Victim*
 17 *Compensation and Government Claims Board in a form prescribed*
 18 *by the Controller, the Controller shall transfer surcharges and*
 19 *fees from the Budget Act items of appropriation identified in*
 20 *subdivision (b) of Section 1 of this act to Item 1870-001-0001 of*
 21 *Section 2.00 of the Budget Act of 2009. For each Budget Act item*
 22 *of appropriation, this amount shall not exceed the cumulative total*
 23 *of the per claim filing fees authorized by subdivision (b) of Section*
 24 *905.2 of the Government Code and the surcharge authorized by*
 25 *subdivision (f) of Section 905.2 of the Government Code. For those*
 26 *items in subdivision (b) that do not reflect a Budget Act*
 27 *appropriation, the Controller shall transfer an amount not to*
 28 *exceed the cumulative total of the per claim filing fees authorized*
 29 *by subdivision (b) of Section 905.2 of the Government Code and*
 30 *the surcharge authorized by subdivision (f) of Section 905.2 of the*
 31 *Government Code. This amount shall be transferred for support*
 32 *of the board as reimbursements to Item 1870-001-0001 of Section*
 33 *2.00 of the Budget Act of 2009. The board shall provide a report*
 34 *of the amounts recovered pursuant to this authority to the*
 35 *Department of Finance within 90 days of the enactment of this act.*

1 ~~SECTION 1. It is the intent of the Legislature to appropriate~~
2 ~~funds for the payment of claims against the state approved by the~~
3 ~~California Victim Compensation and Government Claims Board.~~

4 ~~SEC. 2.~~

5 *SEC. 3.* This act is an urgency statute necessary for the
6 immediate preservation of the public peace, health, or safety within
7 the meaning of Article IV of the Constitution and shall go into
8 immediate effect. The facts constituting the necessity are:

9 In order to pay claims against the state and end hardship to
10 claimants as quickly as possible, it is necessary that this bill go
11 into immediate effect.